

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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**STEVEN GARAVAGLIA,**

2:18-cv-12237

Plaintiff,

v.

**NANCY A. BERRYHILL, Acting  
Commissioner of Social  
Security,**

**ORDER ACCEPTING AND  
ADOPTING REPORT AND  
RECOMMENDATION**

Defendant.

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Plaintiff Steven Garavaglia appealed the Social Security Administration's denial of his application for disability insurance benefits to this Court. After considering cross-motions for summary judgment filed by the parties, Magistrate Judge Stephanie Dawkins Davis issued a report and recommendation recommending that Plaintiff's motion for summary judgment be denied and Defendant's motion for summary judgment granted. The Court agrees and will accept and adopt the report and recommendation (ECF No. 15).

The Court has reviewed the Magistrate Judge's report and recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 28 U.S.C. § 636(b)(1). As of this date,

neither party has filed any objections to Magistrate Judge Davis's report and recommendation. The district court will make a “*de novo* determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate Judge’s report and recommendation of August 10, 2019 as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Davis’s report and recommendation (ECF No. 15) is **ACCEPTED** and **ADOPTED**. It is further ordered that Plaintiff Steven Garavaglia’s motion for summary judgment (ECF No. 13) is **DENIED** and Defendant Nancy A. Berryhill’s motion for summary judgment is **GRANTED**.

**SO ORDERED.**

Dated: August 30, 2019

s/Terrence G. Berg

TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE

## **Certificate of Service**

I hereby certify that this Order was electronically filed, and the parties and/or counsel of record were served on August 30, 2019.

s/A. Chubb  
Case Manager

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